

JUL 06 2006

## PATENT APPLICATION

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

ATTORNEY DOCKET NO. 200314080-1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): David Tyvoll et al.

Confirmation No.: 5274

Application No.: 10/762,888

Examiner: J. Miller

Filing Date: January 21, 2004

Group Art Unit: 3653

Title: SORTING PARTICLES IN PARALLEL

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, April 6, 2006, rejecting the following claims 1-13, 15-21, 41-52. The fee for this Notice of Appeal is (37 CFR 1.17(B)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month  
\$120

☐ 2nd Month  
\$450

☐ 3rd Month  
\$1020

☐ 4th Month  
\$1590

- ☐ The extension fee has already been filed in this application

- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

- ☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Alexandria, VA 22313-1450

Date of Deposit:

OR

- ☒ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.

Date of facsimile: July 6, 2006

Typed Name: Christie A. Doolittle

Signature: Christie A. Doolittle

Respectfully submitted,

David Tyvoll et al.

By Walter W. Karnstein

Walter W. Karnstein

Attorney/Agent for Applicant(s)

Reg No.: 35,565

Date: July 6, 2006

Telephone: (503) 224-6655

Rev 10/05 (Notice of Appeal)

07/10/2006 WABDELRI 00000049 082025 10762688

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